

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TOMAS PEDRAZA, *individually and on  
behalf of others similarly situated,*

Index No. 16-CV-9019

*Plaintiff,*

-against-

52 VAN FOOD CORP. (d/b/a  
BLAKE & TODD), 47TH STREET  
FOOD, INC., (d/b/a BLAKE &  
TODD RESTAURANT), 53RD  
STREET FOOD LLC, (d/b/a BLAKE  
& TODD RESTAURANT), and  
ALEX RACHOWIN,

*Defendants.*

-----X  
**ORDER APPROVING  
SETTLEMENT AGREEMENT**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 1/3/18

Upon motion of Plaintiff TOMAS PEDRAZA by his attorneys at Michael Faillace & Associates, this Court finds that:

Whereas this Court has reviewed the fully executed amended settlement agreement submitted by the Plaintiff TOMAS PEDRAZA and the Defendants 52 VAN FOOD CORP. (d/b/a BLAKE & TODD), 47TH STREET FOOD, INC., (d/b/a BLAKE & TODD RESTAURANT), 53RD STREET FOOD LLC, (d/b/a BLAKE & TODD RESTAURANT), and ALEX RACHOWIN; whereas this Court has reviewed the fee application of Michael Faillace & Associates, it is hereby ORDERED:

- i. That the terms of the proffered settlement agreement are found to be fair and reasonable.
- ii. That the allotment of the settlement fund for attorneys' fees and costs is approved.
- iii. That this case is dismissed in its entirety as follows: (i) dismissal with prejudice as between TOMAS PEDRAZA and the Defendants 52 VAN FOOD CORP. (d/b/a

BLAKE & TODD), 47TH STREET FOOD, INC., (d/b/a BLAKE & TODD RESTAURANT), 53RD STREET FOOD LLC, (d/b/a BLAKE & TODD RESTAURANT), and ALEX RACHOWIN, and (ii) dismissal without prejudice with respect to opt-in Plaintiff Eloisa Corona (“Corona”) as Michael Faillace & Associates, counsel for Corona, has indicated that Corona desires to voluntarily withdraw all her claims against Defendants without prejudice with no consideration advanced by any party for such withdrawal.

- iv. That this Court retains jurisdiction for 3 months solely for the purposes of enforcing the terms of the settlement agreement between Pedraza and Defendants.

Dated:

New York, New York  
December 1, 2017

*January 2, 2018*

SO ORDERED

  
P. KEVIN CASTEL, U.S.D.J.

*Letter application (Doc 33) is GRANTED. Conference  
is VACATED. The Case is Closed.*